Comments on Sand Island WWTP predraft permit:

Chronic Toxicity:

1. The IWC for chronic toxicity is based on a dilution of 103:1; however, the previous permit chronic toxicity limitation was based on a dilution of 94:1. This is a less stringent effluent limitation, which constitutes backsliding. The permit must either retain the use of the 94:1 dilution or justify this backsliding based on whether it meets the exceptions in CWA sections 402(o) and 303(d)(4). Also, using 103:1 goes against the explanation to retain 94:1 on page 21 of the fact sheet, under section (3).

2. There appears to be a significant typo in Section 4.b. on page 7, which discusses two outfalls and two different IWCs. Suggest removal.

3. The chronic toxicity language in pages 8-9 includes "limit or trigger" in various places. Since the permit includes an effluent limit, "or trigger" should be removed.

4. DOH should consider whether additional justification for use of T. gratilla is needed in fact sheet in light of recent contested permits.

Enterococcus:

1. Fact Sheet page 29 should be clarified that EPA promulgated enterococcus criteria for Hawaii beyond the 300 meter mark and that these are applicable water quality standards. In addition to the geometric mean, a thorough explanation of which single sample maximum applies should be included. This should also be clarified on page 39 under the receiving water monitoring requirements, and on page 46 under the monitoring requirements (for compliance with applicable water quality criteria).

2. Fact Sheet page 29, enterococcus: the applicability of dilution for enterococcus should be explained. Due to the potential for acute illness from pathogens, DOH has been applying minimum initial dilution in assessing RP and developing WQBELs for enterococcus. Under section (h)(1), an average dilution is used, and under section (h)(2), a dilution of 103:1 is used; however, for other parameters, 94:1 dilution is being retained from previous permit. The appropriate dilution should be assessed and any change from how enterococcus limits were developed in the previous permit should be assessed under antibacksliding/antidegradation sections of the fact sheet. I appreciate that the previous effluent limit was retained due to antibacksliding (discussed on page 30); however the appropriate dilution and single sample maximum is unclear.

Chlordane/Dieldrin and antibacksliding/antidegradation:

1. Fact Sheet pages 32-33 discuss retaining use of 82 mgd to calculate limits for chlordane and dieldrin, but then contradicts it by discussing the change to 90 mgd in the calculations. Please clarify.

2. Recommend antibacksliding justification for chlordane include a discussion of 303(d)(4) requirements and may add justification regarding transition to secondary will likely decrease pollutant in discharge due to removal of solids.

3. It is unclear whether the increase in flow from 82 mgd to 90 mgd was ever approved by DOH and whether an antidegradation analysis for the increase was conducted. Please clarify.

Pretreatment:

1. The urban area pretreatment requirements pursuant to 301(h) are not necessary once the waiver has been denied. These requirements can be removed. Additionally, facilities are no longer required to evaluate their local limits annually once they are no longer under a waiver. They still must evaluate the local limits once per permit term.

2. The date for pretreatment report submittal appears to be incorrect. Pretreatment reports are due to EPA by February 28. Additionally, these reports should be sent to the pretreatment coordinator at EPA at mailcode WTR-5 (see comment on reporting requirements to EPA).

3. Fact Sheet page 49 should include more information about pretreatment program: when approved and general information on type of SIUs.

Reporting Requirements:

1. Page 42 includes data be reported to EPA WTR-2. ODES is no longer used. All data should be input into STORET. Regarding report/data submittals, see comment on reporting requirements to EPA.

2. Page 5 includes a requirement that changes to monitoring locations be approved by DOH and EPA. This would constitute a major modification to the permit, and as such, would require public notice. Recommend removal of this language, especially the portion regarding "without notification to and the approval from…"

3. Should the not to exceed 10% of the time WQS for nutrients trigger something more than just additional monitoring, such as an operational assessment? What does accelerated monitoring alone tell you?

4. EPA Reporting requirements should be changed accordingly:

    - Sludge, Pretreatment, SIU Compliance reports to WTR-5.

    - DMRs to WTR-7 (but would like to change this to NetDMR only, if possible – can provide language for this).

    - Spill reporting in accordance with consent decree requirements.

    - All receiving water monitoring data electronically submitted to WTR-2.

Also, be aware that WTR-7 is moving to Enforcement Division, and so mailcode will change.

All other reports only to DOH.

Other:

1. The fact sheet should explain why certain pollutants are regulated at the ZID versus at the ZOM.
2. Page 42 includes MDL and ML requirements. Where did this language come from? It looks like California permit language…we should discuss whether this is applicable to Hawaii permits.
3. Fact Sheet, page 3 includes timeline of permit coverage and application – appears to have some holes, which could be filled by 301(h) application/determinations. Please clarify.
4. Fact Sheet, page 5 includes sentence that says the discharge regulated by the permit is not expected to contribute to impairment. Please remove this sentence, as the discharge does contribute to impairments (specifically nitrate + nitrite).
5. Fact Sheet, table F-7 should be clarified to show that the maximum projected effluent concentration accounts for dilution for toxics, but for nutrients, dilution is accounted for in the applicable WQS values provided.
6. Does the facility have backup chlorination for when the UV system is down/being maintained? If so, TRC should be assessed for RP.
7. Permit should include a general reopener, as it currently only includes a chronic toxicity reopener.
8. Recommend keeping effluent limit table on page 3 together (not split between BOD, TSS, and other parameters).
9. Recommend including footnotes to effluent limit table indicating flow used in mass limit calculation.
10. Footnote 13 for remaining pollutants seems to be footnote 11. Please amend as appropriate.
11. Recommend narrative WQS requirements on page 12 be changed to start with “the discharge shall not cause…” or something similar.
12. Fact Sheet, page 18 discussed limited data. Recommend explanation of why data for these parameters was not available.
13. Fact Sheet, page 21, section (3): “maximum” initial dilution should be “minimum” initial dilution.
14. Fact Sheet, page 27 includes typo: under Nitrate + Nitrate, “ammonia” should be “nitrate + nitrite.”
15. Fact Sheet, table F-9 footnotes 6 and 7 discuss annual percentiles in addition to geomean and 10% limits – please clarify what these are.

16. Fact Sheet, page 44 should explain that monitoring for ammonia and nitrate + nitrate is to assess compliance with effluent limitations, not only its impacting on the receiving water.

17. Fact Sheet, page 45 should include CWA 403(c) as further justification for receiving water monitoring.